

REMARKS/ARGUMENTS

Reconsideration of the rejections set forth in the Office Action dated June 30, 2004 is respectfully requested. Claims 1, 5, 6, 39, 43, 48, 50, and 51 have been amended. Claims 10, 14-38, and 49 have been cancelled without prejudice. Claim 52 has been added. As such, claims 1-9, 11-13, 39-48, and 50-52 are currently pending.

Claim 1 has been amended to include features recited in now-cancelled claim 10, which the Examiner has indicated contains allowable subject matter. Claim 5 has been amended to be rewritten in independent form. Claim 6 has been amended to depend from claim 5. Claim 48 has been amended to include features previously recited in claim 49, which the Examiner has indicated contains allowable subject matter. Claims 39 and 43 have been amended in a similar manner as claim 48. Claims 50 and 51 have been amended for consistency.

It is respectfully submitted that the now-cancelled claims recite features neither disclosed nor suggested by the cited of record. However, in a sincere effort to streamline and to expedite prosecution, the present response cancels numerous claims without prejudice or admission of unpatentability. It is hoped that this will lead to greater progress on the claims remaining in the case.

The Applicants are frustrated and sincerely puzzled as to why the Examiner continues to insist that the Applicants have admitted that in order for scanning to take place, two couplers are needed. The Examiner does not appear to be giving the Applicants' explanations any consideration. Contrary to the Examiner's inaccurate understanding, the Applicant has never stated that two couplers are needed to perform scanning. The Applicants have stated that "The use of two couplers allows scanning, *e.g.*, acceleration of a first stage, in two directions along an axis to benefit from the use of the couplers (Specification, on from page 14 at line 27 to page 15 at line 3)." This is an inventive aspect of the present invention, and in no way have the Applicants made a generic statement that two couplers are in any way always needed for scanning to occur. If the Examiner can indeed point out exactly where and when such a

statement about “need” was made by the Applicants, the Applicants would respectfully request that the Examiner bring such a statement to their attention. It is submitted that the term “allows” in no way implies an inherent need.

The Applicants state in the Specification that their inventive use of two couplers allows scanning to occur in two directions along an axis to benefit from the use of couplers. Hence, the inventive use of two couplers does indeed allow or permit scanning to occur, although contrary to the Examiner’s repeated inaccurate statements, the use of two couplers is not needed or required for any/every scanning apparatus to function. As such, the use of two couplers is not inherent to Asano, as argued by the Examiner.

The Examiner continues to repeatedly mischaracterize statements made in the Specification and in previous amendments, as the Applicants in no way even remotely implies that two couplers are *necessary* for any/every scanning apparatus to function. On the contrary, none of the art of record teaches the use of two couplers. Hence, clearly, it is not necessary for scanning apparatuses to use two couplers.

The Applicants note that even, solely for the sake of argument, if the statement “The use of two couplers allows scanning...” does somehow imply that two couplers are necessary for scanning (which is not believed by the Applicants to be the case), such a statement would apply only to the embodiments of the invention, as the statement “The use of two couplers allows scanning...” is made in the Detailed Description of the Embodiments section of the instant application, which describes embodiments of the invention.

Rejections Under 35 U.S.C. § 103

Claims 1-4, 6-9 and 11-46 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Doran et al. (U.S. Patent No. 5,585,629) in view of Toshiya Asano (JP 2000223410). As independent claims 1, 39, 43, and 48 have been amended to include features

which the Examiner has previously indicated are allowable over the cited art, and claims 14-38 have been cancelled, the rejections under 35 U.S.C. § 103(a) are now believed to be moot.

Conclusion

For at least the foregoing reasons, the Applicants believe all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 446-8696.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peggy A. Su". The signature is stylized with a large, looping "P" and "S".

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